

Remarks:

Status of Claims

Claims 1, 3-8, 13, 14, and 30-46 were previously pending with claims 9-13 and 15-29 being withdrawn. By way of this Amendment, claims 15-29 are canceled without prejudice or disclaimer and claims 1, 31, and 40 are amended. Thus, claims 1, 3-8, 13, 14, and 30-46 remain pending, with claims 9-13 being withdrawn and claims 1, 31, and 40 being independent.

Office Action

In the December 12, 2007, Office Action, the Examiner rejected:

- claims 1, 3-4, 14, 31-33, 38, and 40-41 as being anticipated by Schoenfish (U.S. 6,370,037);
- claims 5-8, 30, 34-37, 39, 43, and 45-46 as being obvious in view of Schoenfish and Trumbull (U.S. 6,125,030);
- claims 13, 37, and 44 as being obvious in view of Schoenfish and Hsu (U.S. 5,812,369); and
- claims 30, 39, and 42 as being obvious over Schoenfish, Hsu, and Iredale (U.S. 6,392,877).

Independent Claims 1, 31, and 40

All independent claims now recite that the carrying case “substantially encloses all sides” of the navigation device. Thus, as opposed to mounting brackets which latch only to portions of the navigation device, the claimed carrying case can be easily carried while protecting the navigation device:

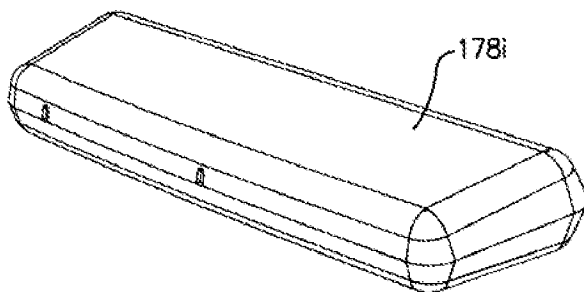
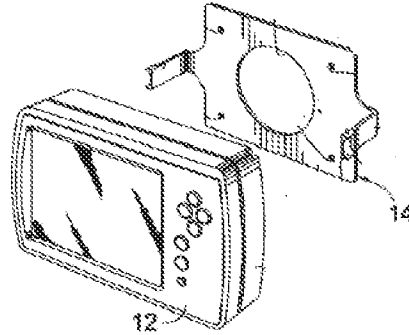


FIG. 20

The only carrying case cited by the Examiner is the mount 14 of Schoenfish:

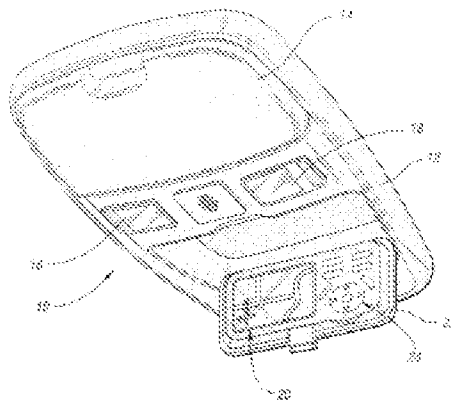


Schoenfish (FIG. 1)

Schoenfish's mount 14 is not a carrying case that "substantially encloses all sides" of the navigation device 12. The Examiner's other cited references do not disclose carrying cases of any sort. Trumbull discloses an overhead console compartment, Hsu discloses clamp-on speakers, and Iredale discloses a laptop computer having a pivoting display screen. Thus, no combination of these cited references discloses or suggests the features now recited in all independent claims.

Claims 5, 34, and 45

Dependent claims 5, 34, and 45 recite that the carrying case includes a base and a hinged lid. The Examiner contends that the combination of Schoenfish and Trumbull suggests this feature. Trumbull discloses a modular overhead console assembly:



Trumbull (FIG. 1)

Trumbull¹ does not teach removable carrying cases of any sort. If Schoenfish's mount and navigation device are placed within Trumbull's compartment as hypothesized by the Examiner (Office Action, ¶ 10), the result is not a hinged carrying case or a carrying case that substantially encloses a navigation device, as the only hinge is provided by Trumbull's non-removable compartment. As a hinged and non-removable compartment is not the same as the carrying case recited in claims 5, 34, and 45, these claims are additionally allowable for this reason.

Claims 7, 36, and 43

Dependent claims 7, 36, and 43 recite that the carrying case includes a speaker:

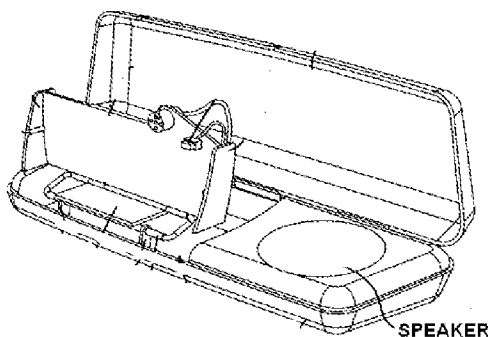
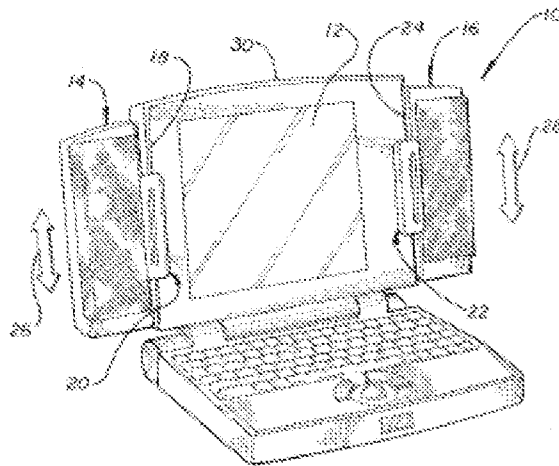


FIG. 21 (annotated)

The Examiner's rationale for finding this feature obvious is that Trumbull's compartment could hold a navigation device and the navigation device could have a speaker (Office Action, ¶ 10). However, as discussed above, Trumbull does not disclose or suggest removable carrying cases of any sort (e.g., cases that may be removed from a dashboard tray) and the combination of Schoenfish and Trumbull does *not* result in a "carrying case" having a speaker. Instead, the combination would merely result in a fixed overhead vehicle compartment containing a carrying case that contains a navigation device that has a speaker—which is not what is recited in claims 7, 36, and 43.

1 To be consistent with the Office Action, Applicant refers to U.S. Patent No. 6,125,030 as "Trumbull," although Trumbull is not listed as an inventor on the '030 patent.

Hsu merely discloses clamp-on speakers for a laptop. The clamp-on speakers are not a carrying case nor are they contained or otherwise positioned *within* a carrying case. At most, Hsu's clamp-on speakers are clamped *on* the laptop case:



Hsu (FIG. 1)

As such, no combination of the Examiner's references discloses or suggests the features recited in claims 7, 36, and 43.

Conclusion

In view of the forgoing, Applicant respectfully submits that all claims are now in a condition for allowance. Any additional fee which is due in connection with this Amendment should be applied against our Deposit Account No. 501-791.

Respectfully submitted,

By: /Samuel M. Korte/
Samuel M. Korte, Reg. No. 56,557
Garmin International, Inc.
1200 East 151st Street
Olathe, KS 66062
(913) 440-5421